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THE HONORABLE BRIAN D. LYNCH
CHAPTER 13

HEARING DATE: June 3, 2014

HEARING TIME: 1:00 p.m.

LOCATION: Vancouver, Washington

RESPONSE DATE: May 27, 2013

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT VANCOUVER

In Re:) Case No. 12-41705
)
SAVUTH PENN)
)
) NOTICE AND MOTION FOR
) DISMISSAL PURSUANT TO 11 U.S.C.,
Debtor) SECTION 1307(c)

NOTICE

You and each of you are hereby notified that the undersigned will bring on for hearing before the Bankruptcy Judge of the above entitled Court, Vancouver Federal Building, 500 West 12th, 2nd Floor, Vancouver, Washington, 98660 on **June 3, 2014 at 1:00 p.m.** a motion for dismissal of the above-captioned case. Response required by **May 27, 2014.**

MOTION

COMES NOW David M. Howe the standing Chapter 13 Trustee and moves as follows:

- 1) The debtor filed this case on **March 15, 2012** and the case has **September 5, 2012.**
- 2) Pursuant to the proposed plan, the debtor is required to make plan payments of \$1,350.00 per month; **Debtor is delinquent in the amount of \$4,725.00.**
- 3) The debtor has otherwise defaulted under the terms of the Plan as follows: **1307(c)(1) unreasonable delay by the debtor that is prejudicial to creditors: failure to make plan payments.**

David M. Howe
Chapter 13 Trustee
1551 Broadway, Suite 600
Tacoma, WA 98402

(253) 572-6600

WHEREFORE the Trustee prays that this case be dismissed and closed.

DATED this 9th day of May, 2014.

/s/ David M. Howe
DAVID M. HOWE,
Chapter 13 Trustee

CERTIFICATE OF MAILING

I declare under penalty of perjury under the laws of the State of Washington as follows:

I, Elizabeth Costanti mailed via regular mail a true and correct copy of the Notice and Motion for Dismissal and Declaration to the following:

Savuth Penn
5920 NE 34th St
Vancouver, WA 98661

Richard Ross, Attorney
1610 Columbia St
Vancouver, WA 98660

The following parties received Notice and Motion for Dismissal via ECF:

- Matthew JP Johnson ECF@resolvedebt.net
- Richard S Ross ecf@resolvedebt.net
- United States Trustee USTPRegion18.SE.ECF@usdoj.gov

DATED this 9th day of May, 2014.

/s/ Elizabeth Costanti
ELIZABETH COSTANTI
Case Administrator

David M. Howe
Chapter 13 Trustee
1551 Broadway, Suite 600
Tacoma, WA 98402

(253) 572-6600